

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-cr-113-pp

KRISTIAN YANEZ,

Defendant.

**ORDER ADOPTING JUDGE JONES'S REPORT AND RECOMMENDATION
(DKT. NO. 501) AND ACCEPTING DEFENDANT'S GUILTY PLEA**

On May 17, 2019, the defendant and her counsel appeared before Magistrate Judge David E. Jones for a change-of-plea hearing. Dkt. No. 501. The defendant consented to Judge Jones taking the plea. Id. at 1. Judge Jones explained that he would make a recommendation to this court, and that this court would decide whether to accept the plea. Id. After questioning the defendant under oath, Judge Jones found her to be “lucid, intelligent, and not under the influence of any intoxicants or substances.” Id. Judge Jones also questioned the defendant about her rights, the penalties associated with the offense to which she was pleading, and this court’s final authority to impose a sentence regardless of the recommendations of the probation department or the parties. Id. at 1-2. At the end of the hearing, Judge Jones concluded, and recommended that this court find, that the defendant’s plea was knowing and voluntary, and supported by an independent factual basis. Id. at 2. Judge


Jones recommended that the court accept the defendant's guilty plea and schedule a sentencing hearing. Id.

No party has objected to Judge Jones's report and recommendation. Having reviewed the docket, the plea hearing and Judge Jones's findings, the court **ADOPTS** Judge Jones's report and recommendation. Dkt. No. 501. The court **ACCEPTS** defendant Kristian Yanez's guilty plea, finding that she entered it knowingly and voluntarily, understanding her rights and the consequences of her plea.

The court **ORDERS** that the probation office must disclose the initial presentence investigation report by August 15, 2019; objections are due August 29, 2019. The court **ORDERS** that the probation office shall file the revised presentence investigation report by September 19, 2019. The court **ORDERS** that if parties have supplemental sentencing materials—letters of support, sentencing memos—they file them by the end of the day on September 19, 2019. The court **ORDERS** that the parties shall appear for sentencing on September 26, 2019 at 9:30 a.m. in Room 222.

Dated in Milwaukee, Wisconsin this 3rd day of June, 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge